

State of Texas
Texas Racing Commission

Official Ruling # LSP3052

of the

Board of Stewards

LONE STAR PARK AT GRAND PRAIRIE

OWNER-TRAINER	KEENER, DEE	License #	142505
Ruling Date:	02/26/2015	Violation Date:	10/18/2014
Redistribute Purse:	Yes		

Rules Violated:

319.3	DRUG POSITIVE OR PERMITTED MEDICATION VIOLATION
319.302	REASONABLE OVERSIGHT OF ANIMAL
311.104	TRAINER/ABSOLUTE INSURER

Owner/Trainer Dee Allen Keener having been duly noticed, was represented by his attorney John Mac Hayes at a formal hearing before the Sam Houston Race Park Board of Stewards on 02/20/2015. Mr. Keener testified telephonically.

The horse "JJ Country Cash" trained by Dee A. Keener won the fourth race at Lone Star Park on 10/18/2014. Test sample #LS051259 taken from "JJ Country Cash" tested positive for the class 4 medication Budesonide at the Texas Veterinary Medical Diagnostic Laboratory. A split sample tested by the University of Florida Racing Laboratory confirmed the positive Budesonide finding.

In his testimony, Dee A. Keener belatedly challenged the selection process of the University of Florida from the list of four TxRC approved laboratories for the testing of split samples. Investigator Melvin Bell testified that he informed Mr. Keener that the other three listed laboratories were unable to meet the standards required to test for Budesonide. The University of Florida was the only approved laboratory able to analyze the split sample.

On 11/10/14 Mr. Keener signed a Split Sample Request form indicating his intention to send sample LS051259 to the University of Florida and on 12/01/2014 Travis D. Mullins representing Mr. Keener witnessed and approved, with no objection or complaint, the shipping of the split sample to the University of Florida. Mr. Keener provided a certified check in the amount of three thousand two hundred (\$3,200) dollars to cover the cost of shipping and testing of this sample and three others.

On consideration of all the evidence and testimony presented at the hearing, the Sam Houston Race Park Board of Stewards hereby fine Dee A. Keener five hundred (\$500) dollars and suspend his TxRC license fifteen days (03/20/2015 through 04/03/2015) for the positive test indicated above.

Mitigating circumstances of four positives being confirmed at the same time permit all to be considered first violations. However, the multiple violations warrant the suspensions being served in succession.

By Order of the Board of Stewards

DAVID ROLLINSON

ANNE ALLEY

DENNIS SIDENER

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During the term of this suspension Mr. Keener is denied access to all areas under the jurisdiction of the Texas Racing Commission. Entry of horses owned or trained by Mr. Keener is denied pending sale or transfer to a party approved by the Board of Stewards.

The horse "JJ Country Cash" is hereby disqualified and declared unplaced in the fourth race at Lone Star Park on 10/18/2014 with the purse money redistributed as follows:

1. Wagon On Turnpike
2. Cowboy Mafia
3. JS Country Runner
4. High On Mary Jane
5. MS Texas Royal Snow
6. Un Caliente Dude
7. Lajollas Fired Fewel
8. Rebas Fortune

Unplaced: JJ Country Cash

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Supplement # 1

03/10/2015

Effective March 5, 2015, the Commission received the appeal, bond and fine in this case. Executive Director Trout has denied the request for a stay.